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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,019	03/06/2000	WOLFGANG STROHMEIER	10191/1239	8203

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EXAMINER

WARD, RONALD J

ART UNIT PAPER NUMBER

2685

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/508,019

Applicant(s)

STROHMEIER, WOLFGANG

Examiner

Ronald J Ward

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-12, 14 and 15 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. **Claims 7-8, 10-11, 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima et al. (U.S. Patent Number 5537673) in view of Burrell (U.S. Patent Number 5910882).

As to **claims 7 and 15**, Nagashima discloses, in Fig. 1, a car radio for receiving a broadcast radio program, comprising:

a front panel (10) including a horizontally positioned holder (12), the front panel including a radio circuit for receiving a broadcast radio program (see col. 3 lines 19-24, 56-58);

a detachable handset (20) capable of functioning as one of a control unit for a car radio and a telephone, the handset connecting to the horizontally positioned holder in the front panel of the car radio and providing a control signal to the radio circuit (see col. 6 lines 46-51, col. 1 lines 51-55);

a screen (23); and

control keys (22) provided with labeling.

However, Nagashima fails to explicitly recite that the handset is inserted into the horizontally positioned holder and that the control keys are provided with the easy to read labeling claimed.

In an analogous art, Burrell discloses, in Fig. 7, a handset (2) the handset being inserted into the horizontally positioned holder in the front panel (see col. 6 lines 60-67). In addition

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Burrell discloses control keys (14) provided with a labeling oriented along a first axis that is rotated out of a usual vertical alignment of the handset in a mounted position by an angle between 30 and 60 degrees in a direction of a longitudinal axis of the handset in order to render the labeling easy to read in each one of a plurality of operating positions of the handset (see col. 5 lines 3-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nagashima's handset and holder such that the handset is inserted into the holder. One of ordinary skill in the art would have been motivated to make this modification in order to more securely hold the handset and avoid breaking by accidental bumping of the handset.

In addition, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nagashima's control keys with the easy to read labeling taught by Burrell. One of ordinary skill in the art would have been motivated to make this modification because it makes the labeling easier to read regardless of the position of the handset (see col. 5 lines 6-10 of Burrell).

As to **claim 8**, the combination system of Nagashima and Burrell disclose everything as applied to claim 7 above. In addition, Burrell further discloses that the first axis of the labeling is rotated 45 degrees in relation to the direction of the longitudinal axis of the handset (see col. 5 lines 3-10).

As to **claims 10 and 11**, the combination system of Nagashima and Burrell disclose everything as applied to claim 7 above. In addition, Burrell discloses that the direction of a display on the screen is capable of being changed in order to adjust the screen to one of the

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plurality of operating positions (see col. 4 lines 44-59) and that the handset includes a position sensor for changing the display on the screen (see col. 6 lines 3-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nagashima with the adjustable screen and position sensor, as taught by Burrell. One of ordinary skill in the art would have been motivated to make this modification because it allows easier viewing by the user (see col. 4 lines 59-62 of Burrell).

3. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination system of Nagashima and Burrell as applied to claim 7 above, and further in view of Lindeman et al. (U.S. Patent Number 5,926,119).

The combination system of Nagashima and Burrell disclose everything as applied to claim 7 above. In addition, Burrell discloses labeled control keys having different shapes and different functions (14, 16, 84 in Figure 1). However, Burrell does not explicitly recite elongated keys oriented perpendicular to the first axis of the labeling.

In an analogous art, Lindeman discloses, in Figure 1, a keypad wherein one key (160) is elongated and oriented perpendicular to the axis of labeling. The advantage of making this key elongated is "to further facilitate location using only the sense of touch" (see col. 2 lines 25-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was to modify the control keys of the combination system of Nagashima and Burrell to include labeled elongated keys oriented perpendicular to the first axis of labeling, as taught by Lindeman, for the purpose of facilitating the location of those keys.

4. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination system of Nagashima and Burrell as applied to claim 7 above, and further in view of Gottlieb (U.S. Patent Number 4,737,656).

The combination system of Nagashima and Burrell disclose everything as applied to claim 7 above. However, Nagashima and Burrell fail to explicitly recite that a remote computer that serves as a remote control for the car radio.

In an analogous art, Gottlieb discloses a remote control unit for a car radio to allow a driver to conveniently control the radio (see col. 1 lines 5-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the car radio of the combination system of Nagashima and Burrell to include a remote control for enhancing driver convenience, as taught by Gottlieb.

5. **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination system of Nagashima and Burrell as applied to claim 7 above, and further in view of Oberlaender (U.S. Patent Number 6160997).

The combination system of Nagashima and Burrell disclose everything as applied to claim 7 above. In addition, Nagashima's handset includes at least one soft key (22) for selecting radio stations (see col. 3 lines 56-58), the at least one soft key being positioned adjacent to the screen (23) (see Fig. 1).

However, Nagashima fails to explicitly disclose that the at least one soft key selects stored radio stations.

In an analogous art, Oberlaender discloses a similar invention wherein at least one soft key selects stored radio stations (see col. 3 lines 38-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the soft keys of the combination system of Nagashima and Burrell to select stored radio stations, as taught by Oberlaender. One of ordinary skill in the art would have been motivated to make this modification because it makes the car radio more convenient for quickly finding stations.

***Allowable Subject Matter***

6. **Claim 13** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

As to **claim 13**, the prior art fails to disclose or render obvious including a further control key for controlling the car radio, the at least one further control key being positioned adjacent to the horizontally positioned holder.

***Response to Arguments***

8. Applicant's arguments with respect to claims 7-12 have been considered but are moot in view of the new ground(s) of rejection.

In addition, in regards to the Burrell reference, a GPS embodiment is disclosed, **as well as** a car radio, or AM-FM stereo, embodiment (see col. 1 lines 40-50, wherein Burrell recites various examples of embodiments for the electronic device).

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald J. Ward whose telephone number is (703) 305-5616. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

**Any response to this final action should be mailed to:**

**Box AF**



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Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**


(703) 872-9314 (TC 2600 only)

(for formal communications; please mark "EXPEDITED PROCEDURE")

(for informal or draft communications, please label "PROPOSED" or

"DRAFT" and mark "PLEASE DELIVER TO EXAMINER")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

  
RJW  
March 5, 2003

  
3/10/03  
LESTER G. KINCAID  
PRIMARY EXAMINER